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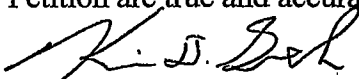
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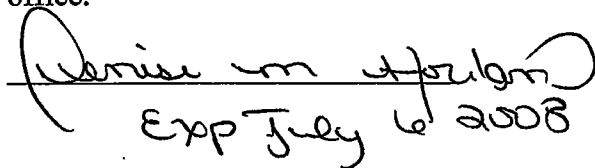
STATE OF WISCONSIN
COUNTY OF MARATHON

Before me, the undersigned authority, on this the 30th day of April, 2008, personally appeared Kevin D. Genrich in his capacity of POLKAVIDEOS and the TV show THE POLKAS ARE ON as its owner, as the petitioner in the forgoing Petition for Close Captioning Exemption, and being by me duly sworn on oath deposes and avers that all statements and representations made in the Petition are true and accurate in substance and fact.



Kevin D. Genrich

SWORN TO and SUBSCRIBED BEFORE ME, by the said Kevin D. Genrich this the 30 day of April, 2008, to certify and witness my hand and seal of office.



Exp July 6 2008

Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 12th Street SW
Washington, DC 20554

RE: Petition for full exemption from closed caption requirements.

To Whom it may concern,

POLKAVIDEOS, a video creation sole-proprietorship and producer for polka music and TV production THE POLKAS ARE ON, respectfully submits this petition requesting exemption from the closed captioning requirements under the Commission's Rules, 47 C.F.R. 79.1 based on the undue burden standard and regulations.

INTRODUCTION AND OVERVIEW:

POLKAVIDEOS was formed in December of 2006 and has operated as a no-income volunteer producer of polka music videos. POLKAVIDEOS has previously filed with the County of Marathon, State of WI, Register of Deeds. Due to the zero income or billing, a need did not arise to register as a business with the State of Wisconsin until April 22, 2008 upon agreement to produce a television show and sell ads for that show to air commercially.

The program will be filmed on location in Wisconsin and is edited by myself as a volunteer with production assistance by my wife, also a volunteer. To provide the sponsors with incentive, the ads to cover air time are being created free of charge for a minimum of 6 months. The purpose of this program is not to obtain a day-to-day income, but rather to receive cultural exposure of polka music to the general population to promote the genre.

The program name is "THE POLKAS ARE ON". The show will air on Sundays at 10:30 am until 11 AM. Its length is 28 minutes and 30 seconds. It is advertiser supported and delivered to the following station every week:

NBC CHANNEL 12 WJFW RHINELANDER, WI

I am purchasing the airtime from this station and selling the advertising for it to air. There is not any other polka music TV show on any network or network affiliate anywhere in the United States (this statement excludes RFD television who primarily broadcasts on satellite).

Due to extensive financial constraints, I not only volunteer all of my services to promote the under-represented genre of polka music, I also am unable to hire anyone to assist with this production on a payment basis OR to hire a translator or interpreter for services of songs performed in other languages.

NATURE AND COST OF INTERPRETATION OR TRANSLATION AND PROOFING SERVICE AND CLOSED CAPTIONING:

Polka music was originally European folk music and has typically been handed down through the generations. POLKAVIDEOS typically records bands in 6 or 7 different languages. These languages include German, Polish, Slovenian, Bohemian, Czech, or even a mixture of languages of countries such as Pommerania which no longer exists but may be a mix of Polish and German, or a mix of an old handed down version of a European language which can further be mixed with English lyrics of today. The following would be typical fees for a 28 minute and 30 second show:

1. Translation of up to 1000 words ranges in fees of 20 to 30 cents per word with the price increasing with each language change throughout a song. This cost alone is estimated at a minimum of \$13,000 per year (www.languagebeauty.com pricing guide). Quality control typically ranges 40 percent of that fee for an additional cost of \$5200 per year. These two fees total \$18,200.

2. Close captioning fees per 30 minute program with Custom Captioning is \$450 each program. This is an additional undue financial hardship of \$23,400 per year.

3. The combined costs to translate up to 7 languages, quality check and close caption THE POLKAS ARE ON TV show is a minimum of \$41,600 annually. These fees would prevent any airing of this genre on television programming as advertising dollars do not exist for this level of financing.

IMPACT OF OPERATION:

In addition to the extensive financial burden, close captioning would jeopardize the uniqueness and success of a program of this nature. As a show of this nature has not been filmed or aired in Wisconsin on the commercial airwaves for over 20 years, the close captioning requirement would further prevent any future airing of this musical programming.

SCHEDULING:

To our knowledge, "THE POLKAS ARE ON" would be the only program on a regular television network station in the entire country. As stated earlier, there is a variety polka program on the RFD satellite network. Those not on satellite programming are unable to view that program. With the WI culture still active in the polka field, a program of this nature is a necessity to provide a cultural viewing experience currently unavailable to most.

The success and uniqueness of THE POLKAS ARE ON are dependent of filming and airing in Wisconsin. With no shows available of this nature, the overall stability of this culture is dependent upon a program for polka music.

Close captioning would require a virtual overload of work as a volunteer and overburden of finances which would be unattainable nearly on any level in the polka music genre.

FORMAT:

THE POLKAS ARE ON is taped primarily in Wisconsin and focuses on the cultural and ethnic music of Wisconsin polka bands. The show will usually be taped on a Sunday afternoon, edited for content within a matter of days, and aired the following Sunday. Some content will be included from other areas of the country who also volunteer their camera and equipment solely for the promotion of polka music.

WORKLOAD:

As mentioned earlier, I am the sole-proprietor (one-man) volunteer. My wife assists me as a volunteer. Between filming, editing, ad sales to pay for air-time and show creation, approximately 30 hours per week is being donated for the airing of this show.

FINANCIAL RESOURCES OF PROGRAM:

THE POLKAS ARE ON is created by myself as a volunteer and sole-proprietor of POLKAVIDEOS. Since no personal income is projected at this time nor has any income been derived to date in the processing of polka music videos, any large-scale financial requirements would prevent the airing of the show. I do aspire to be able to sell ads at some point in the future which will be dedicated to equipment upgrades. If we are required to upgrade to a high definition format, costs could exceed \$40,000. Again, the purpose of THE POLKAS ARE ON is not to derive a day-to-day income, but to promote a genre of music that otherwise receives little or no media exposure.

ALTERNATIVES AVAILABLE AS SUBSTITUTES FOR CLOSE CAPTIONING:

We will employ written information as to the band names and location where the show is being filmed. This will give the viewers the opportunity to come to the filming location and be a part of the culture.

SUMMARY:


I request the Commission grant "THE POLKAS ARE ON" a full exemption because requiring close captioning would create an undue burden for the following reasons:

1. Translation, Quality Checks, and Close Captioning finances do not exist, and would prevent the airing of this under-represented genre of music.
2. As a volunteer, I do not have an income to hire anyone to oversee translation and close captioning services.

Thank you for your consideration. I look forward to your response.

Respectfully submitted,

POLKAVIDEOS for THE POLKAS ARE ON program.

By: 
Kevin D. Genrich
Owner, PolkaVideos

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